

(Orig.)

No 78.

1st Session, 7th Legislature, 54 Victoria, 1890.

PRIVATE BILL

An Act to incorporate "The Province of
Quebec Association of Architects."

First Reading,

1890.

Second Reading,

1890.

HON. MR. ROBINDOUX.

QUEBEC:
Printed by BELLEAU & Co.

1890.

BILL

An Act to incorporate The Province of Quebec Association of Architects.

WHEREAS it is deemed expedient for the better protection of the public interests in the erection of public and private buildings in the Province of Quebec, and in order to enable persons requiring professional aid in architecture, to distinguish between qualified and unqualified architects, and to ensure a standard of efficiency in the persons practising the profession of architecture in the Province, and for the furtherance and advancement of the art of architecture ;

And whereas the persons hereinafter named have, by petition, set forth that it is desirable that they, together with such other persons as may be hereafter associated with them, be incorporated by the name of " The Province of Quebec Association of Architects," having for its objects the acquirement and interchange of professional knowledge amongst its members and more particularly the acquisition of that species of knowledge which shall promote the artistic, scientific, and practical efficiency of the profession of architecture ; Therefore, Her Majesty, by and with the advice and consent of the Legislature of Quebec, enacts as follows :

1. This act may be cited as " The Province of Quebec Architects Act."

2. J. W. Hopkins, F. X. Berlinguet, Victor Roy, A. C. Hutchison, A. F. Dunlop, A. Raza, A. T. Taylor, M. Perreault, J. F. Peachy, W. E. Doran, C. Clift, J. Nelson Chas. Baillairgé, W. T. Thomas, W. McLea Walbank, Jos. Venne, A. J. Pageau, S. Lesage, J. A. Proudfoot Bulman, J. Z. Gauthier, J. Y. Resther, Theo. Daoust, G. E. Tanguay, D. Ouellette, J. H. Bernard, J. Wright, L. R. Montbriant, G. G. Languedoc, J. A. Chaussé, R. Findlay, A. Gendron, L. C. Everest Page, H. Staveley, J. B. Resther, W. H. Hodgson, J. J. Brown, J. H. Bonel, A. F. Fowler, E. C

Hopkins, Eric Mann, and all other persons who may be hereafter associated with them, shall be, and are hereby constituted a body politic and corporate, under the name of "The Province of Quebec Association of Architects" hereinafter referred to as the "Association."

3. The said association shall have power :

1. To acquire and hold all lands and property necessary and required, in order to carry out the objects and purposes for which incorporation is sought, provided that the annual value of the real estate held at any one time for the actual use of the association, shall not exceed five thousand dollars ; and the said association shall also have power to sue and be sued, and implead in their corporate name ;

2. To make and pass by-laws in accordance with this act, for the direction and management of the association ; the admission to the study and practice of the profession of architecture, and all rules that may be deemed necessary for the maintenance of the dignity and honour of the said profession, and alter or amend the same when deemed advisable.

4. The head office of the association shall be in the city of Montreal.

5. The said association shall be governed by a council ; hereinafter referred to as the " Council ;" consisting of a president, two vice-presidents, a secretary-treasurer, and six members, all of whom shall be members of the association, and shall be elected annually in the manner provided for in the by-laws of the association. The first council to consist of the first eleven persons named in the first section ; and they shall hold office until their successors are elected.

6. The said council shall meet at the city of Montreal, within one month after the incorporation of the association for the purpose of organization. They shall make such by-laws as may be necessary for the government of the association, subject to ratification at the first annual meeting of the association.

7. The council shall, through their secretary, give notice in the Quebec Official Gazette of the completion of its organization, whereupon any person practising the profession of architect within this Province, on the coming into force of this act, may become a member of

the association, by causing his name to be registered with the secretary of the association within the three months after such notice, and by paying to the secretary such fees as may, by by-law or otherwise, be made payable in that behalf.

In case any such person, as aforesaid, omits to be registered within the said period of three months, through absence, illness or inadvertence, such person may, at the discretion of the council, be admitted to enrollment as an architect. The council may also admit to membership all members of associations of architects in the sister Provinces, also members of the Royal Institute of British Architects, and of foreign associations of architects of equal standing on their presenting their credentials. Architects not members of these associations, who shall have practised for five years, shall be admitted without serving as students, but shall be required to pass the final examinations.

8. Any other person who applies for admission to registration as an architect, after the coming into force of this act, shall not be less than twenty one years of age, and shall have served as a student not less than five years with a principal or principals, entitled to register under this act, or with any other principal or principals approved by the council, and have such qualifying examinations as may be required by the by-laws of the association.

9. The council shall admit, as student associates, those desirous of entering the profession of architecture. Candidates must give one month's notice to the secretary, giving their full names. They shall pay such fees and submit to such examinations as shall be necessary in that behalf. Graduates in arts or sciences of any university in Her Majesty's Dominion, or of the Polytechnic school of Montreal, shall not be required, however, to pass any preliminary examinations, provided that any person who, before the passing of this act, was entered as a student for a shorter term than five years but not less than three years, with a principal or principals, approved by the council, shall, on serving the full time of his indenture and passing the examinations prescribed by the council, be entitled to register under this act.

Notice and evidence of existing studentship shall be given to the secretary within six months after the passing of this act and shall be accompanied with such fee as the council shall, from time to time, direct, and with proper certificate of such studentship.

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Upon and after the passing of this act students shall serve such term as is required to be served by the provisions of this act, under indenture to a registered architect, which indenture and any assignment thereof with affidavit of execution thereto attached, shall be filed with the secretary upon payment of such fee as the council may by regulation direct.

The council may shorten the period of studentship to a term, however, of not less than three years in favor of graduates of any recognized college or school of architecture or technology.

10. The council shall appoint an examiner or examiners for the purpose of ascertaining and reporting on the qualification of all persons who shall present themselves for admission to the study or practice of architecture. The council shall also prescribe the subjects for such examinations.

11. The council shall fix a tariff for the services of members which, when approved of by the Lieutenant-Governor in Council and published in the Official Gazette, shall be accepted in all courts of law as evidence of the value of such services.

12. The time and place of the annual meeting of the association and of special meetings thereof, and for meetings of the council, shall be fixed by by-laws, also the mode of summoning and conducting the same, and in the absence of any rule or regulation as to the summoning of meetings of the association or of the council, it shall be lawful for the president, or in the event of his absence or death, for the secretary to summon the same at such time and place as to such officer seems fit, by circular letter to be mailed to each member.

13. From and after the first day of July, 1891, no person shall be entitled to take or use the name or title of "Architect" either alone or in combination with any other word or words, or any name, title or description implying that he is registered under this act unless he has so registered. Any person who after the above date, not being registered under this act, takes or uses any such names, titles or description as aforesaid, shall be liable on summary conviction to a fine not exceeding twenty-five dollars for the first offence, and not exceeding one hundred dollars for each subsequent offence.

14. The secretary shall, in every year, cause to be printed, published and kept for inspection at his office, free of charge under the direction of the council, a correct register of the names in alphabetical order according to the surnames, with the respective residence in the form set forth in schedule "A" to this act or to the like effect, of all persons appearing on the general register on the first day of January in every year, and such registers shall be called the "Architects' Register," and a copy of such register for the time being, purporting to be so printed and published as aforesaid, shall be evidence in all courts and before all justices of the peace, and others, that the persons therein specified are registered according to the provisions of this act; provided always that in case of any person whose name does not appear in such copy under the hand of the secretary, the entry of the name of such person in this register shall be evidence that such person is registered under the provisions of this act.

The Secretary shall keep a similar register of student associates.

15. Members and student associates shall pay on such registration an annual fee as shall be required by the by-laws. The names of those in default shall be removed from the respective registers by the secretary, after one month's notice to the parties, and shall not be re-inserted except upon the payment of all arrears and such fine (if any) as may be imposed by the by-laws of the association.

16. The council may direct that a name be removed from the register in the following cases; (that is to say) at the request or with the written consent of the person whose name is to be removed, or where the name has been incorrectly entered, or where a person registered has, after the passing of this act, been convicted, either in Her Majesty's dominions or elsewhere, of an offence which, if committed in Her Majesty's dominions, would be a misdemeanour or higher offence, or where a person registered is shown to have been guilty after his registration and either in Her Majesty's dominions or elsewhere, of any conduct or breach of the by-laws, orders or regulations, of "The Province of Quebec Association of Architects" or of conduct infamous in a professional respect.

When the council shall have removed the name of any person from the register, the name of that person shall not be again entered upon the register, except by a resolution of the council or by an order of a court of competent jurisdiction.

The council may, by resolution, direct the secretary to restore to the register any name removed therefrom either without fee or upon payment of such fee not exceeding the fees in arrears or unpaid, and one additional renewal fee as the council may, from time to time, fix; and the secretary shall restore the name accordingly.

The name of any person removed from the register at the request of such person or with his consent, shall, unless it might, if not so removed, have been removed by order of the council be restored to the register, on his application and on payment of such fees not exceeding such fees as shall be in arrears, and one additional registration fee, as the council, from time to time, may fix.

17. If the secretary shall wilfully make, or cause to be made any falsification in any matters relating to the register he shall be deemed to be guilty of a misdemeanour, and shall, on conviction thereof, be imprisoned for any term not exceeding twelve months.

18. Any person who wilfully procures or attempts to procure re-registration under this act by making or producing, or causing to be produced, or made any false or fraudulent representations or declarations, either verbally or in writing, that he is entitled to such re-registration, shall be deemed guilty of a misdemeanour and shall, on conviction thereof, be sentenced to imprisonment for any term not exceeding twelve months.

19. There shall be paid to any architect registered under this act summoned to attend any court, civil or criminal, for the purpose of giving evidence in his professional capacity, or in consequence of professional services rendered by him as an architect, for each day he so attends in addition to his travelling expenses, (if any) and to be taxed and paid in the manner by law provided with regard to the payment of witnesses attending such court the same fee or allowance as is payable to provincial land surveyors.

20. All fees payable under this act may be recovered as ordinary debts due to the association, and all penalties under this act may be recovered and enforced before one or more justices of the peace, in the manner directed by the Revised Statutes of Canada, chapter 173, entitled: "The Summary Convictions' Act" and an act amending the same.

Any sum or sums of money arising from conviction and recovery of penalties as aforesaid shall be paid immediately upon the recovery thereof by the convicting magistrate to the secretary of the association.

Any person may, be prosecutor or complainant under this act, and the council may allot such portion of the penalties as may be expedient towards the payment of such prosecution.

21. Subject to the other provisions of this act, all notices and documents required by or for the purpose of this act to be sent, may be sent by post and shall be deemed to have been received at the time when the letter containing the same would be delivered in the ordinary course of the mail, and in proving such sending, it shall be sufficient to prove that the letter containing the notices or documents was prepaid and properly addressed and put in the post. Such notices and documents may be in writing or in print, or partly in writing and partly in print, and when sent to the council or other authorities, shall be deemed to be properly addressed, if addressed to the said bodies or authorities, or to some officer of the council, or authority, at the principal place of business of the council or authority, and when sent to a person registered under this act, shall be deemed to be properly addressed if addressed to him according to his address registered in the register of the association.

22. All moneys arising from fees payable on registration or the annual renewal fees, or from the sale of copies of the register or otherwise, shall be paid to the secretary of the council, and by him paid over to the treasurer, to be applied in accordance with such regulations as may be made by the council, for defraying the expenses of registration, and the other expenses of the execution of this act, and subject thereto towards the support of museums, libraries or lectureships, or for other public purposes connected with the profession of architecture, or towards the promotion of learning and education in connection with architecture.

The council shall have power to invest any sum not expended as above, in such securities as shall be approved by the Government of the Dominion of Canada, or of the Province of Quebec in the name of any three of their number appointed as trustees, and any income derived from such invested sums shall be added to and considered as part of the ordinary income of the association.

The association may also use surplus funds or invested capital for the rental or purchase of land or premises, or for the building of premises to serve as offices, examination halls, libraries, museums, or for any other public purpose connected with architecture.

23. The secretary and treasurer shall enter in books, to be kept for that purpose, a true account of all sums of money by them, or either of them received, and paid under this act, and such account shall be audited and submitted to the council at such time or times as the council may require.

24. It shall be the duty of the secretary to keep the register in accordance with the provisions of this act, and the by-laws, orders, and regulations of the council.

All deeds of the association shall be signed by the president and secretary and sealed with the common seal of the association.

25. This act shall come into force on the day of its sanction.

SCHEDULE A.

Date of Regis- tration.	Name.	Title or distinc- tion if any.	Residence.



